



General Assembly

**Substitute Bill No. 5334**

January Session, 2015



**AN ACT PROVIDING PROPERTY TAX RELIEF TO VETERANS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivisions (19) to (21), inclusive, of section 12-81 of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2015, and applicable to assessment years*  
4 *commencing on or after October 1, 2015*):

5 (19) Subject to the provisions of sections 12-89, 12-90 and 12-95,  
6 property [to the amount of one thousand dollars belonging] to the  
7 extent of ten per cent of its assessed value that belongs to, or is held in  
8 trust for, (A) any resident of this state who [(a)] is a veteran of the  
9 armed forces in service in time of war, [(b)] (B) any resident of this  
10 state who was a citizen of the United States at the time of his or her  
11 enlistment and who was in the military or naval service of a  
12 government allied or associated with that of the United States during  
13 the Second World War and received an honorable discharge  
14 therefrom, [(c)] (C) any resident of this state who served during the  
15 Second World War as a member of any armed force of any  
16 government signatory to the United Nations Declaration of January 1,  
17 1942, and participated in armed conflict with an enemy of the United  
18 States and who has been a citizen of the United States for at least ten  
19 years and presents satisfactory evidence of such service, [(d)] (D) any  
20 resident of this state who served as a member of the crew of a

21 merchant vessel during the Second World War and is qualified with  
22 respect to such service as a member of the group known as the  
23 "American Merchant Marine in ocean-going service during the period  
24 of armed conflict, December 7, 1941, to August 15, 1945", members of  
25 which are deemed to be eligible for certain veterans benefits under a  
26 determination in the United States Department of Defense, as recorded  
27 in the Federal Register of February 1, 1988, provided such resident has  
28 received an armed forces discharge certificate from the Department of  
29 Defense on the basis of such service, [(e)] (E) any member of the armed  
30 forces who was in service in time of war and is still in the service and  
31 by reason of continuous service has not as yet received a discharge,  
32 [(f)] (F) any person who is retired from the armed forces after thirty  
33 years of service because [he] such person has reached the age limit  
34 prescribed by law or because [he] such person suffers from mental or  
35 physical disability, or [(g)] (G) any person who is serving in the armed  
36 services in time of war; or lacking said amount of property in his or her  
37 own name, so much of the property belonging to, or held in trust for,  
38 [his] such person's spouse, who is domiciled with him or her, as is  
39 necessary to equal said amount. For the purposes of this subdivision,  
40 "veteran", "armed forces" and "service in time of war" have the same  
41 meaning as in section 27-103;

42 (20) Subject to the provisions hereinafter stated, property [not  
43 exceeding three thousand dollars in amount shall be exempt from  
44 taxation, which property belongs to, or is] belonging to, or held in trust  
45 for, any resident of this state who has served, or is serving, in the  
46 Army, Navy, Marine Corps, Coast Guard or Air Force of the United  
47 States and [(1)] has a disability rating by the [Veterans' Administration  
48 of the] United States Department of Veterans Affairs amounting to ten  
49 per cent or more [of total disability, provided such exemption shall be  
50 fifteen hundred dollars in any case in which such rating is between ten  
51 per cent and twenty-five per cent; two thousand dollars in any case in  
52 which such rating is more than twenty-five per cent but not more than  
53 fifty per cent; twenty-five hundred dollars in any case in which such  
54 rating is more than fifty per cent but not more than seventy-five per

cent; and three thousand dollars in any case in which such person has attained sixty-five years of age or such rating is more than seventy-five per cent; or (2)] shall be exempt from taxation as follows: (A) Fifteen per cent of the assessed value of such property if such disability rating is at least ten per cent but not more than twenty-five per cent; (B) twenty per cent of the assessed value of such property if such disability rating is more than twenty-five per cent but not more than fifty per cent; (C) twenty-five per cent of the assessed value of such property if such disability rating is more than fifty per cent but not more than seventy-five per cent; and (D) thirty per cent of the assessed value of such property if (i) such disability rating is more than seventy-five per cent, (ii) such person has attained sixty-five years of age, or (iii) such person is receiving a pension, annuity or compensation from the United States because of the loss in service of a leg or arm or that which is considered by the rules of the United States Pension Office or the Bureau of War Risk Insurance the equivalent of such loss. If such veteran or member of the armed forces lacks such [amount of] property in his or her name, so much of the property belonging to, or held in trust for, his or her spouse, who is domiciled with him or her, [as is necessary to equal such amount] shall also be so exempt. When any veteran or member of the armed forces entitled to an exemption under the provisions of this section has died, property belonging to, or held in trust for, his or her surviving spouse, while such spouse remains a widow or widower, or belonging to or held in trust for his or her minor children during their minority, or both, while they are residents of this state, shall be exempt in the same [aggregate amount] percentage as that to which the disabled veteran or member of the armed forces was or would have been entitled at the time of his or her death. No individual entitled to exemption under this subdivision and under one or more of subdivisions (19), (22), (23), (25) and (26) of this section shall receive more than one exemption. No individual shall receive any exemption to which he or she is entitled under this subdivision until he or she has complied with section 12-95 and has submitted proof of his or her disability rating, as determined by the [Veterans' Administration of the] United States Department of

90 Veterans Affairs, to the assessor of the town in which the exemption is  
91 sought. If there is no change to an individual's disability rating, such  
92 proof shall not be required for any assessment year following that for  
93 which the exemption under this subdivision is granted initially. If the  
94 [Veterans' Administration of the] United States Department of  
95 Veterans Affairs modifies [a veteran's] the disability rating of a veteran  
96 or member of the armed forces, such modification shall be deemed a  
97 waiver of the right to such exemption until proof of disability rating is  
98 submitted to the assessor and the right to such exemption is  
99 established as required initially. Any person who has been unable to  
100 submit evidence of disability rating in the manner required by this  
101 subdivision, or who has failed to submit such evidence as provided in  
102 section 12-95, may, when he or she obtains such evidence, make  
103 application to the collector of taxes within one year after he or she  
104 obtains such proof or within one year after the expiration of the time  
105 limited in section 12-95, as the case may be, for abatement in case the  
106 tax has not been paid, or for refund in case the whole tax has been  
107 paid, of such part or the whole of such tax as represents the service  
108 exemption. Such abatement or refund may be granted retroactively to  
109 include the assessment day next succeeding the date as of which such  
110 person was entitled to such disability rating as determined by the  
111 [Veterans' Administration of the] United States Department of  
112 Veterans Affairs, but in no case shall any abatement or refund be made  
113 for a period greater than three years. The collector shall, after  
114 examination of such application, refer the same, with his or her  
115 recommendations thereon, to the board of selectmen of a town or to  
116 the corresponding authority of any other municipality, and shall  
117 certify to the amount of abatement or refund to which the applicant is  
118 entitled. Upon receipt of such application and certification, the  
119 selectmen or other duly constituted authority shall, in case the tax has  
120 not been paid, issue a certificate of abatement or, in case the whole tax  
121 has been paid, draw an order upon the treasurer in favor of such  
122 applicant for the amount without interest which represents the service  
123 exemption. Any action so taken by such selectmen or other authority  
124 shall be a matter of record and the tax collector shall be notified in

125 writing of such action;

126 (21) (A) The dwelling house, and the lot whereupon the same is  
127 erected, belonging to or held in trust for any person who is a citizen  
128 and resident of this state, occupied as such person's domicile, shall be  
129 exempt from local property taxation to the extent of ten thousand  
130 dollars of its assessed valuation or, lacking said amount in property in  
131 such person's own name, so much of the property belonging to, or held  
132 in trust for, such person's spouse, who is domiciled with such person,  
133 as is necessary to equal said amount, if such person is a veteran who  
134 served in the Army, Navy, Marine Corps, Coast Guard or Air Force of  
135 the United States and has been declared by the United States [Veterans'  
136 Administration] Department of Veterans Affairs or its successors to  
137 have a service-connected disability from paraplegia or osteochondritis  
138 resulting in permanent loss of the use of both legs or permanent  
139 paralysis of both legs and lower parts of the body; or from hemiplegia  
140 and has permanent paralysis of one leg and one arm or either side of  
141 the body resulting from injury to the spinal cord, skeletal structure or  
142 brain or from disease of the spinal cord not resulting from any form of  
143 syphilis; or from total blindness as defined in section 12-92; or from the  
144 amputation of both arms, both legs, both hands or both feet, or the  
145 combination of a hand and a foot; sustained through enemy action, or  
146 resulting from accident occurring or disease contracted in such active  
147 service. Nothing in this subdivision shall be construed to include  
148 paraplegia or hemiplegia resulting from locomotor ataxia or other  
149 forms of syphilis of the central nervous system, or from chronic  
150 alcoholism, or to include other forms of disease resulting from the  
151 veteran's own misconduct which may produce signs and symptoms  
152 similar to those resulting from paraplegia, osteochondritis or  
153 hemiplegia. The loss of the use of one arm or one leg because of service  
154 related injuries specified in this subdivision shall qualify a veteran for  
155 a property tax exemption in the same manner as hereinabove,  
156 provided such exemption shall be for five thousand dollars;

157 (B) The exemption provided for in this subdivision shall be in

158 addition to any other exemption of such person's real and personal  
159 property allowed by law, but no taxpayer shall be allowed more than  
160 one exemption under this subdivision. No person shall be entitled to  
161 receive any exemption under this subdivision until such person has  
162 satisfied the requirements of subdivision (20) of this section. The  
163 surviving spouse of any such person who at the time of such person's  
164 death was entitled to and had the exemption provided under this  
165 subdivision shall be entitled to the same exemption, (i) while such  
166 spouse remains a widow or widower, or (ii) upon the termination of  
167 any subsequent marriage of such spouse by dissolution, annulment or  
168 death and while a resident of this state, for the time that such person is  
169 the legal owner of and actually occupies a dwelling house and  
170 premises intended to be exempted hereunder. When the property  
171 which is the subject of the claim for exemption provided for in this  
172 subdivision is greater than a single family house, the assessor shall  
173 aggregate the assessment on the lot and building and allow an  
174 exemption of that percentage of the aggregate assessment which the  
175 value of the portion of the building occupied by the claimant bears to  
176 the value of the entire building;

177 (C) Subject to the approval of the legislative body of the  
178 municipality, the dwelling house and the lot whereupon the same is  
179 erected, belonging to or held in trust for any citizen and resident of this  
180 state, occupied as such person's domicile shall be fully exempt from  
181 local property taxation, if such person is a veteran who served in the  
182 Army, Navy, Marine Corps, Coast Guard or Air Force of the United  
183 States and has received financial assistance for specially adapted  
184 housing under the provisions of Section 801 of Title 38 of the United  
185 States Code and has applied such assistance toward the acquisition or  
186 modification of such dwelling house. The same exemption may also be  
187 allowed on such housing units owned by the surviving spouse of such  
188 veteran (i) while such spouse remains a widow or widower, or (ii)  
189 upon the termination of any subsequent marriage of such spouse by  
190 dissolution, annulment or death, or by such veteran and spouse while  
191 occupying such premises as a residence;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015, and applicable to assessment years commencing on or after October 1, 2015</i>	12-81(19) to (21)

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**VA**      *Joint Favorable Subst.*